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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,159	08/06/2003	Masataka Katoh	KUSUMOTO 221-KFM	3603
7590	10/18/2005		EXAMINER	
Karl F. Milde, Jr., Esq. MILDE & HOFFBERG, L.L.P. Suite 460 10 Bank Street White Plains, NY 10606			VU, PHU	
			ART UNIT	PAPER NUMBER
			2871	
DATE MAILED: 10/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/636,159

Applicant(s)

KATOH ET AL.

Examiner

Phu Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment and Remarks (dated 8/1/2005), RCE (9/7/2005)
2. Claims 1-6 are presented for examination.

Applicant's arguments filed 8/1/2005 have been fully considered but they are not persuasive.

In response to applicant's arguments, the recitation of limitations has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). Thus the subject matter applicant has not incorporated into the body of the claim has NOT been considered. Furthermore applicant cites that the references are uncombinable, because the *Shiota* allegedly teaches away from the secondary reference. However, *Shiota* refers to a prior art teaching of darkening a pixel while that is not the intended goal *Shiota* does teach that performing the process will result in dark pixels while it is aimed at salvaging pixels (see previous citations).

Regarding the amendment of claim 3, the limitation of window is interpreted by the American Heritage College Dictionary as "an opening constructed in a wall or roof

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that admits light or air to an enclosure and is **often** framed and spanned with glass mounted to permit opening and closing." Another definition states "an opening that resembles a window in function or appearance." The window provided by the reference cited in the claim 3 limitation therefore meets the limitation as the cut is considered to "admit light." Therefore window interpreted with a broadest reasonable interpretation can be considered a cut.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Shiota et.

al. US Publication No. 2002/01154079.

Shiota teaches a method of changing a bright pixel to a dark pixel in an in-plate switching liquid crystal display comprising a substrate (fig. 21b element 1001, 1002) , with pixel regions thereon arranged in rows and columns (see fig 21a), an aperture (see fig. 21a "white area" inside grid) formed in each pixel region of the substrate and having liquid crystal (fig. 21b element 1003) and at least one strip-like electrode therein (fig. 21a element 1006a); a CS circuit (fig. 21 element 1015) disposed in each pixel region adjacent to the aperture and a pad (fig. 21 element 1006b) disposed in opposition to each CS circuit and connected to the strip-like electrodes, said method comprising the step of:

cutting the strip-like electrode at the end of the aperture (see fig. 21 element 1022 also see specification [0019]) of only a bright pixel region, among the plurality of pixel regions by a laser beam.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiota and further in view of Murakami US Publication No. 2003/0025846.

Regarding claims 1, Shiota teaches an IPS liquid crystal display comprising:

a substrate (fig. 21b elements 1001 1002), with pixel regions (see fig. 21a) thereon arranged in rows and columns;

an aperture (see fig. 21a white area formed between pixel electrodes 1006a and common electrodes 1007a) formed in each pixel region of the substrate and having a liquid crystal and at least one strip-like pixel electrode therein;

a capacitor storage circuit (fig. 21a element 1015) disposed in each pixel region adjacent to the aperture; and a pad (fig. 21a element 1006b) disposed in opposition to teach CS circuit and connected to the strip-like electrode,

Shiota fails to teach a cut formed in a side of the CS circuit to which the aperture is adjacent. Murakami teaches a cut (fig. 4 element 20&21) formed in a side of the CS

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circuit (fig. 4 element 3 & 13) to which the aperture is adjacent to prevent a short circuit between the image signal line and the pixel electrode (see [0047]). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to form a cut in a side of the CS circuit to prevent short circuit between the image signal line and the pixel electrode.

Regarding claim 2, cut 22 in figure 4 cuts the storage capacitance line and the pixel electrode so the limitation of a laser beam that maybe a applied to the strip-like electrode is met by the combination of Shiota and Murakami.

Regarding claim 3, Shiota teaches an IPS liquid crystal display comprising:

a substrate (fig. 21b elements 1001 1002), with pixel regions (see fig. 21a) thereon arranged in rows and columns;

an aperture (see fig. 21a white area formed between pixel electrodes 1006a and common electrodes 1007a) formed in each pixel region of the substrate and having a liquid crystal and at least one strip-like pixel electrode therein;

a capacitor storage circuit (fig. 21a element 1015) disposed in each pixel region adjacent to the aperture; and a pad (fig. 21a element 1006b) disposed in opposition to teach CS circuit and connected to the strip-like electrode,

Shiota fails to teach a window formed in a part of the CS circuit that corresponds to the location of the strip-like electrode. Murakami teaches a window (fig. 4 element 20&21) formed in a part of the CS circuit that corresponds to the location of the striplike-electrode (fig. 4 element 3 & 13) to prevent a short circuit between the image signal line and the pixel electrode (see [0047]). Therefore, at the time of the invention, it would

have been obvious to one of ordinary skill in the art cut the CS circuit in a part that corresponds to the location of the striplike-electrode to prevent a short circuit between the image signal line and the pixel electrode.

Regarding claim 5, Shiota teaches a method of changing a bright pixel to a dark pixel in an in-plate switching liquid crystal display comprising a substrate (fig. 21b element 1001, 1002) , with pixel regions thereon arranged in rows and columns (see fig 21a), an aperture (see fig. 21a “white area” inside grid) formed in each pixel region of the substrate and having liquid crystal (fig. 21b element 1003) and at least one strip-like electrode therein (fig. 21a element 1006a); a CS circuit (fig. 21 element 1015) disposed in each pixel region adjacent to the aperture and a pad (fig. 21 element 1006b) disposed in opposition to each CS circuit and connected to the strip-like electrodes, said method comprising the step of:

Shiota fails to teach cutting a side of the CS circuit to which the aperture is adjacent. Murakami teaches a cut (fig. 4 element 20&21) formed in a side of the CS circuit (fig. 4 element 3 & 13) to which the aperture is adjacent to prevent a short circuit between the image signal line and the pixel electrode (see [0047]). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to cut in a side of the CS circuit to prevent short circuit between the image signal line and the pixel electrode.

Regarding claim 6, this claim is the same as claim 5 except a cut is replaced with a “window.” A window is interpreted as a means of access or observation as per the American heritage college dictionary. Therefore this limitation is obvious because

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the pixel electrodes is cut through a window of the CS circuit. The pixel area cuts (elements 21 and 22) lie above portions of the CS circuit, which are cut to provide access to the pixel electrode.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu Vu whose telephone number is (571)-272-1562.

The examiner can normally be reached on 8AM-5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu Vu
Examiner
AU 2871


ANDREW SCHECHTER
PRIMARY EXAMINER